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OFFICE OF PETITIONS

In re Application of	:	
Aiken, et al.	:	DECISION
Application No. 09/672,512	:	ON PETITION
Filed: September 28, 2000	:	
Attorney Docket No. Aiken 5-11(LCNT/122347)	:	

This is a decision on the petition under 37 CFR 1.137(a), filed February 21, 2006, to revive the above-identified application.

This application became abandoned for failure to timely reply to the non-final Office action, mailed July 14, 2005, which set a three month, extendable period for reply. No reply having been submitted, this application became abandoned on October 15, 2005. The filing of the instant petition precedes the mailing of A Notice of Abandonment.

Petitioners have shown that the filing of a reply was unavoidably delayed due to an unexpected clerical error committed by a well-trained, reliable, experienced clerical employee.

The petition under 37 CFR 1.137(a) is **granted**.

Regarding finances, petitioners were charged a \$1,500.00 Rule 137(b) petition fee. Since this petition is being granted under 37 CFR 1.137(a), only a \$500.00 petition fee is required. Deposit account no. 20-0782 will be credited the balance, or \$1,000.00.

The file is being forwarded to Technology Center 2617 for consideration of the amendment filed on February 21, 2006.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

A handwritten signature in cursive script, reading "E. Shirene Willis".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy